

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

ANTHONY C. WAGNER,
Plaintiff,

v.

RANDAL BARNETTE, et al.,
Defendants.

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Civil Action No. 7:12-cv-00441

FINAL ORDER

By: Hon. Michael F. Urbanski
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ORDERED and ADJUDGED

that Wagner's motion for discovery is **DENIED**; defendants' Motion to Dismiss, or in the Alternative, Motion for Summary Judgment is **GRANTED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to the parties.

Entered: February 21, 2014

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge